



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5932

Introduced 2/10/2010, by Rep. Emily McAsey

SYNOPSIS AS INTRODUCED:

725 ILCS 115/2

from Ch. 38, par. 1352

725 ILCS 115/3.5 new

Amends the Bill of Rights for Children. Provides that if a petition is filed under the Juvenile Court Act of 1987 alleging that a minor is an abused, neglected, or dependent minor, the person filing the petition shall inform the minor, if capable of understanding, and his or her parents or custodian that the court will appoint a guardian ad litem to protect the minor's interests if the minor is alleged to be an abused or neglected child or is alleged to be the victim of a sex offense and that charges have been filed against a defendant in court and that such minor is the alleged victim of the acts of the defendant in the commission of such offense. Provides that the person filing the petition shall inform the minor, if capable of understanding, and his or her parents or custodian, that the court may appoint a guardian ad litem if there may be a conflict of interest between the minor and his or her parents or other custodian or that it is in the minor's best interest that such guardian ad litem be appointed.

LRB096 18377 RLC 33754 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning children.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Bill of Rights for Children is amended by
5 changing Section 2 and by adding Section 3.5 as follows:

6 (725 ILCS 115/2) (from Ch. 38, par. 1352)

7 Sec. 2. Purposes. The purpose of this Act is to ensure the
8 fair and compassionate treatment of children involved in the
9 criminal justice system and involved in juvenile court
10 proceedings concerning their abuse, neglect, or dependency by
11 affording certain basic rights and considerations to these
12 children.

13 (Source: P.A. 86-862.)

14 (725 ILCS 115/3.5 new)

15 Sec. 3.5. Abuse, neglect, and dependency cases; right to
16 guardian ad litem. If a petition is filed under Article II of
17 the Juvenile Court Act of 1987 alleging that a minor is an
18 abused, neglected, or dependent minor, the person filing the
19 petition shall inform the minor, if capable of understanding,
20 and his or her parents or custodian that the court will appoint
21 a guardian ad litem to protect the minor's interests if the
22 minor is alleged to be an abused or neglected child or is

1 alleged to be the victim of a sex offense and that charges have
2 been filed against a defendant in court and that such minor is
3 the alleged victim of the acts of the defendant in the
4 commission of such offense. The person filing the petition
5 shall inform the minor, if capable of understanding, and his or
6 her parents or custodian, that the court may appoint a guardian
7 ad litem if there may be a conflict of interest between the
8 minor and his or her parents or other custodian or that it is
9 in the minor's best interest that such guardian ad litem be
10 appointed.